



PO BOX 201706  
Helena, MT 59620-1706  
(406) 444-3064  
FAX (406) 444-3036

## Water Policy Interim Committee

66th Montana Legislature

### SENATE MEMBERS

JILL COHENOUR  
BRUCE GILLESPIE  
JON SESSO  
JEFF WELBORN, vice chairman

### HOUSE MEMBERS

BOB BROWN  
ZACH BROWN, chairman  
CARL GLIMM  
BRADLEY MAXON HAMLETT  
SHANE MORIGEAU  
WALT SALES

### COMMITTEE STAFF

JASON MOHR, Lead Staff  
CORI HACH, Legal Staff  
NADINE SPENCER, Secretary

July 14, 2020

U.S. Senator John Hoeven  
338 Russell Senate Office Building  
Washington, D.C. 20510

Dear Sen. Hoeven,

The Water Policy Interim Committee (WPIC) urges the Senate Indian Affairs Committee to pass S.3019 (Montana Water Rights Protection Act) at its earliest convenience. Doing so will begin to secure the future of the Confederated Salish and Kootenai Tribes (CSKT)—and that of thousands of farmers, ranchers, and water users across Montana.

In the arid West, water is a fundamental element for Montana's cities and towns, farms and ranches, industries and natural wonders. Legendary, one-armed geologist and explorer John Wesley Powell forecast a struggle for water in the American West, observing that "there is not sufficient water to supply these lands." Today, Montana's legal system relies on a clear delineation of one's water rights—not only to protect private property rights, but for maximum benefit of all uses.

After decades of negotiation, the Montana Legislature passed the CSKT compact and associated federal settlement in 2015. The compact will not only quantify and protect Indian and non-Indian water rights, but will rehabilitate an aging irrigation project feeding some of the state's most productive lands, conserve the water resources for riparian habitat, and drive economic development in western Montana through access to unallocated reservoir water.

Without approval of the compact, the tribe may be forced to litigate thousands of claims to protect their "first in time" rights, casting a shadow over tens of thousands of others' water rights.

The WPIC firmly believes that approval of S.3019 by the Senate Indian Affairs Committee will start the legislation on a path to approval by Congress and the President.

Thank you for your consideration.

Sincerely,  


Rep. Zach Brown, committee presiding officer